

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF ALABAMA
EASTERN DIVISION**

JAMES HARBIN, et al.,

Plaintiffs,

v.

TPFE, INC., et al.,

Defendants.

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CASE NO.: 1:21-CV-01469-ACA

DEFENDANT TPFE, INC.'S ANSWER TO PLAINTIFFS' COMPLAINT

COMES NOW, Defendant TPFE, Inc., by and through the undersigned counsel of record, and hereby answers the Plaintiffs' Complaint as follows:

NATURE OF THE CASE

1. Paragraph 1 of the Plaintiffs' Complaint does not require a response from this Defendant. To the extent a response is required regarding this paragraph, it is deemed denied and strict proof of the same is demanded at trial.

PARTIES

2. This Defendant is without sufficient information to either admit or deny the allegations contained in paragraph 2 of the Plaintiffs' Complaint therefore this paragraph is denied. However, this Defendant denies that Plaintiff James Harbin was wrongfully terminated.

3. This Defendant is without sufficient information to either admit or deny the allegations contained in paragraph 3 of the Plaintiffs' Complaint therefore this paragraph is denied. However, this Defendant denies that Plaintiff Shonnie Maglione was wrongfully terminated.

4. This Defendant is without sufficient information to either admit or deny the allegations contained in paragraph 4 of the Plaintiffs' Complaint therefore this paragraph is denied. However, this Defendant denies that Plaintiff Tina Ridley was wrongfully terminated.

5. This Defendant denies the allegations contained within paragraph 5 of the Plaintiffs' Complaint as stated because Defendant company has dissolved.

6. This Defendant denies the allegations contained within paragraph 6 of the Plaintiffs' Complaint and demands strict proof thereof.

7. This Defendant denies the allegations contained within paragraph 7 of the Plaintiffs' Complaint and demands strict proof thereof.

8. This Defendant denies the allegations contained within paragraph 8 of the Plaintiffs' Complaint and demands strict proof thereof.

9. This Defendant denies the allegations contained within paragraph 9 of the Plaintiffs' Complaint and demands strict proof thereof.

10. This Defendant denies the allegations contained within paragraph 10 of the Plaintiffs' Complaint and demands strict proof thereof.

11. This Defendant denies the allegations contained within paragraph 11 of the Plaintiffs' Complaint and demands strict proof thereof.

12. Paragraph 12 of the Plaintiffs' Complaint does not require a response from this Defendant. To the extent a response is required, paragraph 12 is deemed denied and strict proof of the same is demanded at trial.

13. Paragraph 13 of the Plaintiffs' Complaint does not require a response from this Defendant. To the extent a response is required, paragraph 13 is deemed denied and strict proof of the same is demanded at trial.

14. Paragraph 14 of the Plaintiffs' Complaint does not require a response from this Defendant. To the extent a response is required, paragraph 14 is deemed denied and strict proof of the same is demanded at trial.

15. Paragraph 15 of the Plaintiffs' Complaint does not require a response from this Defendant. To the extent a response is required, paragraph 15 is deemed denied and strict proof of the same is demanded at trial.

16. Paragraph 16 of the Plaintiffs' Complaint does not require a response from this Defendant. To the extent a response is required, paragraph 16 is deemed denied and strict proof of the same is demanded at trial.

17. Paragraph 17 of the Plaintiffs' Complaint does not require a response from this Defendant. To the extent a response is required, paragraph 17 is deemed denied and strict proof of the same is demanded at trial.

18. Paragraph 18 of the Plaintiffs' Complaint does not require a response from this Defendant. To the extent a response is required, paragraph 18 is deemed denied and strict proof of the same is demanded at trial.

19. Paragraph 19 of the Plaintiffs' Complaint does not require a response from this Defendant. To the extent a response is required, paragraph 19 is deemed denied and strict proof of the same is demanded at trial.

20. Paragraph 20 of the Plaintiffs' Complaint does not require a response from this Defendant. To the extent a response is required, paragraph 20 is deemed denied and strict proof of the same is demanded at trial.

21. Paragraph 21 of the Plaintiffs' Complaint does not require a response from this Defendant. To the extent a response is required, paragraph 21 is deemed denied and strict proof of the same is demanded at trial.

22. Paragraph 22 of the Plaintiffs' Complaint does not require a response from this Defendant. To the extent a response is required, paragraph 22 is deemed denied and strict proof of the same is demanded at trial.

ADMINISTRATIVE REMEDIES

23. This Defendant denies the allegations contained within paragraph 23 of the Plaintiffs' Complaint and demands strict proof thereof.

24. This Defendant denies the allegations contained within paragraph 24 of the Plaintiffs' Complaint and demands strict proof thereof.

25. This Defendant denies the allegations contained within paragraph 25 of the Plaintiffs' Complaint and demands strict proof thereof.

26. This Defendant denies the allegations contained within paragraph 26 of the Plaintiffs' Complaint and demands strict proof thereof.

27. This Defendant denies the allegations contained within paragraph 27 of the Plaintiffs' Complaint and demands strict proof thereof.

28. This Defendant denies the allegations contained within paragraph 28 of the Plaintiffs' Complaint and demands strict proof thereof.

29. This Defendant denies the allegations contained within paragraph 29 of the Plaintiffs' Complaint and demands strict proof thereof.

30. This Defendant denies the allegations contained within paragraph 30 of the Plaintiffs' Complaint and demands strict proof thereof.

31. This Defendant denies the allegations contained within paragraph 31 of the Plaintiffs' Complaint and demands strict proof thereof.

JURISDICTION AND VENUE

32. This Defendant admits the allegations contained within paragraph 32 of the Plaintiffs' Complaint.

33. This Defendant admits jurisdiction is proper but denies any unlawful employment practices occurred and demands strict proof thereof.

34. This Defendant admits that it did business within this judicial district but denies any unlawful employment practices occurred.

35. Paragraph 35 of the Plaintiffs' Complaint does not require a response from this Defendant. To the extent a response is required, paragraph 35 is deemed denied and strict proof of the same is demanded at trial.

36. Paragraph 36 of the Plaintiffs' Complaint does not require a response from this Defendant. To the extent a response is required, paragraph 36 is deemed denied and strict proof of the same is demanded at trial.

37. Paragraph 37 of the Plaintiffs' Complaint does not require a response from this Defendant. To the extent a response is required, paragraph 37 is deemed denied and strict proof of the same is demanded at trial.

38. Paragraph 38 of the Plaintiffs' Complaint does not require a response from this Defendant. To the extent a response is required, paragraph 38 is deemed denied and strict proof of the same is demanded at trial.

39. Paragraph 39 of the Plaintiffs' Complaint does not require a response from this Defendant. To the extent a response is required, paragraph 39 is deemed denied and strict proof of the same is demanded at trial.

40. Paragraph 40 of the Plaintiffs' Complaint does not require a response from this Defendant. To the extent a response is required, paragraph 40 is deemed denied and strict proof of the same is demanded at trial.

41. Paragraph 41 of the Plaintiffs' Complaint does not require a response from this Defendant. To the extent a response is required, paragraph 41 is deemed denied and strict proof of the same is demanded at trial.

42. Paragraph 42 of the Plaintiffs' Complaint does not require a response from this Defendant. To the extent a response is required, paragraph 42 is deemed denied and strict proof of the same is demanded at trial.

43. Paragraph 43 of the Plaintiffs' Complaint does not require a response from this Defendant. To the extent a response is required, paragraph 43 is deemed denied and strict proof of the same is demanded at trial.

44. Paragraph 44 of the Plaintiffs' Complaint does not require a response from this Defendant. To the extent a response is required, paragraph 44 is deemed denied and strict proof of the same is demanded at trial.

45. Paragraph 45 of the Plaintiffs' Complaint does not require a response from this Defendant. To the extent a response is required, paragraph 45 is deemed denied and strict proof of the same is demanded at trial.

46. Paragraph 46 of the Plaintiffs' Complaint does not require a response from this Defendant. To the extent a response is required, paragraph 46 is deemed denied and strict proof of the same is demanded at trial.

47. Paragraph 47 of the Plaintiffs' Complaint does not require a response from this Defendant. To the extent a response is required, paragraph 47 is deemed denied and strict proof of the same is demanded at trial.

48. Paragraph 48 of the Plaintiffs' Complaint does not require a response from this Defendant. To the extent a response is required, paragraph 48 is deemed denied and strict proof of the same is demanded at trial.

49. Paragraph 49 of the Plaintiffs' Complaint does not require a response from this Defendant. To the extent a response is required, paragraph 49 is deemed denied and strict proof of the same is demanded at trial.

50. Paragraph 50 of the Plaintiffs' Complaint does not require a response from this Defendant. To the extent a response is required, paragraph 50 is deemed denied and strict proof of the same is demanded at trial.

51. Paragraph 51 of the Plaintiffs' Complaint does not require a response from this Defendant. To the extent a response is required, paragraph 51 is deemed denied and strict proof of the same is demanded at trial.

52. Paragraph 52 of the Plaintiffs' Complaint does not require a response from this Defendant. To the extent a response is required, paragraph 52 is deemed denied and strict proof of the same is demanded at trial.

PLAINTIFF JAMES HARBIN'S CLAIMS

FACTUAL ALLEGATIONS

53. This Defendant is without sufficient information to either admit or deny the allegations contained in paragraph 53 of the Plaintiffs' Complaint therefore this paragraph is denied.

54. This Defendant is without sufficient information to either admit or deny the allegations contained in paragraph 54 of the Plaintiffs' Complaint therefore this paragraph is denied.

55. This Defendant admits the allegations contained within paragraph 55 of the Plaintiffs' Complaint.

56. This Defendant denies the allegations contained within paragraph 56 of the Plaintiffs' Complaint and demands strict proof thereof.

57. This Defendant is without sufficient information to either admit or deny the allegations contained in paragraph 57 of the Plaintiffs' Complaint therefore this paragraph is denied.

58. This Defendant denies the allegations contained within paragraph 58 of the Plaintiffs' Complaint and demands strict proof thereof.

59. This Defendant admits the allegations contained within paragraph 59 of the Plaintiffs' Complaint.

60. This Defendant admits the allegations contained within paragraph 60 of the Plaintiffs' Complaint.

61. This Defendant is without sufficient information to either admit or deny the allegations contained in paragraph 61 of the Plaintiffs' Complaint therefore this paragraph is denied.

62. This Defendant admits the allegations contained within paragraph 62 of the Plaintiffs' Complaint.

63. This Defendant denies the allegations contained within paragraph 63 of the Plaintiffs' Complaint and demands strict proof thereof.

64. This Defendant admits that Plaintiff Harbin was terminated due to a reduction in workforce but denies he and Plaintiff Tina Ridley were the only employees terminated due to reduction and demands strict proof thereof.

65. This Defendant denies the allegations contained within paragraph 65 of the Plaintiffs' Complaint and demands strict proof thereof.

66. This Defendant admits the allegations contained within paragraph 66 of the Plaintiffs' Complaint.

67. This Defendant denies the allegations contained within paragraph 67 of the Plaintiffs' Complaint and demands strict proof thereof.

68. This Defendant denies the allegations contained within paragraph 68 of the Plaintiffs' Complaint and demands strict proof thereof.

69. This Defendant denies the allegations contained within paragraph 69 of the Plaintiffs' Complaint and demands strict proof thereof.

70. This Defendant denies the allegations contained within paragraph 70 of the Plaintiffs' Complaint and demands strict proof thereof.

71. This Defendant is without sufficient information to either admit or deny the allegations contained in paragraph 71 of the Plaintiffs' Complaint therefore this paragraph is denied.

72. This Defendant denies the allegations contained within paragraph 72 of the Plaintiffs' Complaint and demands strict proof thereof.

73. Paragraph 73 of the Plaintiffs' Complaint does not require a response from this Defendant. To the extent a response is required, paragraph 73 is deemed denied and strict proof of the same is demanded at trial.

74. Paragraph 74 of the Plaintiffs' Complaint does not require a response from this Defendant. To the extent a response is required, paragraph 74 is deemed denied and strict proof of the same is demanded at trial.

75. Paragraph 75 of the Plaintiffs' Complaint does not require a response from this Defendant. To the extent a response is required, paragraph 75 is deemed denied and strict proof of the same is demanded at trial.

76. Paragraph 76 of the Plaintiffs' Complaint does not require a response from this Defendant. To the extent a response is required, paragraph 76 is deemed denied and strict proof of the same is demanded at trial.

77. Paragraph 77 of the Plaintiffs' Complaint does not require a response from this Defendant. To the extent a response is required, paragraph 77 is deemed denied and strict proof of the same is demanded at trial.

78. Paragraph 78 of the Plaintiffs' Complaint does not require a response from this Defendant. To the extent a response is required, paragraph 78 is deemed denied and strict proof of the same is demanded at trial.

HARBIN COUNT I – ADA DISABILITY DISCRIMINATION (TPFE)

79. Paragraph 79 of the Plaintiffs' Complaint does not require a response from this Defendant. To the extent a response is required, paragraph 79 is deemed denied and strict proof of the same is demanded at trial.

80. Paragraph 80 of the Plaintiffs' Complaint does not require a response from this Defendant. To the extent a response is required, paragraph 80 is deemed denied and strict proof of the same is demanded at trial.

81. This Defendant is without sufficient information to either admit or deny the allegations contained in paragraph 81 of the Plaintiffs' Complaint therefore this paragraph is denied.

82. This Defendant is without sufficient information to either admit or deny the allegations contained in paragraph 82 of the Plaintiffs' Complaint therefore this paragraph is denied.

83. This Defendant denies the allegations contained within paragraph 83 of the Plaintiffs' Complaint and demands strict proof thereof.

84. This Defendant admits the allegations contained within paragraph 84 of the Plaintiffs' Complaint.

85. This Defendant admits the allegations contained within paragraph 85 of the Plaintiffs' Complaint.

86. This Defendant admits the allegations contained within paragraph 86 of the Plaintiffs' Complaint.

87. This Defendant denies the allegations contained within paragraph 87 of the Plaintiffs' Complaint and demands strict proof thereof.

88. This Defendant denies the allegations contained within paragraph 88 of the Plaintiffs' Complaint and demands strict proof thereof.

89. This Defendant denies the allegations contained within paragraph 89 of the Plaintiffs' Complaint and demands strict proof thereof.

90. This Defendant denies the allegations contained within paragraph 90 of the Plaintiffs' Complaint and demands strict proof thereof.

91. This Defendant denies the allegations contained within paragraph 91 of the Plaintiffs' Complaint and demands strict proof thereof.

92. This Defendant denies that Plaintiff Harbin is entitled to the relief requested in paragraph 92 of the Plaintiffs' Complaint and demands strict proof thereof.

HARBIN COUNT II – ADA DISABILITY DISCRIMINATION (LAV SERVICES)

93. Paragraph 93 of the Plaintiffs' Complaint does not require a response from this Defendant. To the extent a response is required, paragraph 93 is deemed denied and strict proof of the same is demanded at trial.

94. Paragraph 94 of the Plaintiffs' Complaint does not require a response from this Defendant. To the extent a response is required, paragraph 94 is deemed denied and strict proof of the same is demanded at trial.

95. Paragraph 95 of the Plaintiffs' Complaint does not require a response from this Defendant. To the extent a response is required, paragraph 95 is deemed denied and strict proof of the same is demanded at trial.

96. Paragraph 96 of the Plaintiffs' Complaint does not require a response from this Defendant. To the extent a response is required, paragraph 96 is deemed denied and strict proof of the same is demanded at trial.

97. Paragraph 97 of the Plaintiffs' Complaint does not require a response from this Defendant. To the extent a response is required, paragraph 97 is deemed denied and strict proof of the same is demanded at trial.

98. Paragraph 98 of the Plaintiffs' Complaint does not require a response from this Defendant. To the extent a response is required, paragraph 98 is deemed denied and strict proof of the same is demanded at trial.

99. Paragraph 99 of the Plaintiffs' Complaint does not require a response from this Defendant. To the extent a response is required, paragraph 99 is deemed denied and strict proof of the same is demanded at trial.

100. Paragraph 100 of the Plaintiffs' Complaint does not require a response from this Defendant. To the extent a response is required, paragraph 100 is deemed denied and strict proof of the same is demanded at trial.

101. Paragraph 101 of the Plaintiffs' Complaint does not require a response from this Defendant. To the extent a response is required, paragraph 101 is deemed denied and strict proof of the same is demanded at trial.

102. Paragraph 102 of the Plaintiffs' Complaint does not require a response from this Defendant. To the extent a response is required, paragraph 102 is deemed denied and strict proof of the same is demanded at trial.

103. Paragraph 103 of the Plaintiffs' Complaint does not require a response from this Defendant. To the extent a response is required, paragraph 103 is deemed denied and strict proof of the same is demanded at trial.

104. Paragraph 104 of the Plaintiffs' Complaint does not require a response from this Defendant. To the extent a response is required, paragraph 104 is deemed denied and strict proof of the same is demanded at trial.

105. Paragraph 105 of the Plaintiffs' Complaint does not require a response from this Defendant. To the extent a response is required, paragraph 105 is deemed denied and strict proof of the same is demanded at trial.

106. Paragraph 106 of the Plaintiffs' Complaint does not require a response from this Defendant. To the extent a response is required, paragraph 106 is deemed denied and strict proof of the same is demanded at trial.

107. Paragraph 107 of the Plaintiffs' Complaint does not require a response from this Defendant. To the extent a response is required, paragraph 107 is deemed denied and strict proof of the same is demanded at trial.

108. Paragraph 108 of the Plaintiffs' Complaint does not require a response from this Defendant. To the extent a response is required, paragraph 108 is deemed denied and strict proof of the same is demanded at trial.

109. Paragraph 109 of the Plaintiffs' Complaint does not require a response from this Defendant. To the extent a response is required, paragraph 109 is deemed denied and strict proof of the same is demanded at trial.

110. Paragraph 110 of the Plaintiffs' Complaint does not require a response from this Defendant. However, this Defendant denies that Plaintiff Harbin is entitled to the relief requested in paragraph 110 of the Plaintiffs' Complaint and demands strict proof thereof.

HARBIN COUNT III – ADA RETALIATION (TPFE)

111. Paragraph 111 of the Plaintiffs' Complaint does not require a response from this Defendant. To the extent a response is required, paragraph 111 is deemed denied and strict proof of the same is demanded at trial.

112. Paragraph 112 of the Plaintiffs' Complaint does not require a response from this Defendant. To the extent a response is required, paragraph 112 is deemed denied and strict proof of the same is demanded at trial.

113. This Defendant is without sufficient information to either admit or deny the allegations contained in paragraph 113 of the Plaintiffs' Complaint therefore this paragraph is denied.

114. This Defendant is without sufficient information to either admit or deny the allegations contained in paragraph 114 of the Plaintiffs' Complaint therefore this paragraph is denied

115. This Defendant denies the allegations contained within paragraph 115 of the Plaintiffs' Complaint and demands strict proof thereof.

116. This Defendant admits the allegations contained within paragraph 116 of the Plaintiffs' Complaint.

117. This Defendant admits the allegations contained within paragraph 117 of the Plaintiffs' Complaint.

118. This Defendant admits the allegations contained within paragraph 118 of the Plaintiffs' Complaint.

119. This Defendant admits that Plaintiff Harbin was terminated due to reduction, but denies it was the day he returned and demands strict proof thereof.

120. This Defendant denies the allegations contained within paragraph 120 of the Plaintiffs' Complaint and demands strict proof thereof.

121. This Defendant denies the allegations contained within paragraph 121 of the Plaintiffs' Complaint and demands strict proof thereof.

122. This Defendant denies the allegations contained within paragraph 122 of the Plaintiffs' Complaint and demands strict proof thereof.

123. This Defendant denies the allegations contained within paragraph 123 of the Plaintiffs' Complaint and demands strict proof thereof.

124. This Defendant denies that Plaintiff Harbin is entitled to the relief requested in paragraph 124 of the Plaintiffs' Complaint and demands strict proof thereof.

COUNT IV – ADA RETALIATION (LAV SERVICES)

125. Paragraph 125 of the Plaintiffs' Complaint does not require a response from this Defendant. To the extent a response is required, paragraph 125 is deemed denied and strict proof of the same is demanded at trial.

126. Paragraph 126 of the Plaintiffs' Complaint does not require a response from this Defendant. To the extent a response is required, paragraph 126 is deemed denied and strict proof of the same is demanded at trial.

127. Paragraph 127 of the Plaintiffs' Complaint does not require a response from this Defendant. To the extent a response is required, paragraph 127 is deemed denied and strict proof of the same is demanded at trial.

128. Paragraph 128 of the Plaintiffs' Complaint does not require a response from this Defendant. To the extent a response is required, paragraph 128 is deemed denied and strict proof of the same is demanded at trial.

129. Paragraph 129 of the Plaintiffs' Complaint does not require a response from this Defendant. To the extent a response is required, paragraph 129 is deemed denied and strict proof of the same is demanded at trial.

130. Paragraph 130 of the Plaintiffs' Complaint does not require a response from this Defendant. To the extent a response is required, paragraph 130 is deemed denied and strict proof of the same is demanded at trial.

131. Paragraph 131 of the Plaintiffs' Complaint does not require a response from this Defendant. To the extent a response is required, paragraph 131 is deemed denied and strict proof of the same is demanded at trial.

132. Paragraph 132 of the Plaintiffs' Complaint does not require a response from this Defendant. To the extent a response is required, paragraph 132 is deemed denied and strict proof of the same is demanded at trial.

133. Paragraph 133 of the Plaintiffs' Complaint does not require a response from this Defendant. To the extent a response is required, paragraph 133 is deemed denied and strict proof of the same is demanded at trial.

134. Paragraph 134 of the Plaintiffs' Complaint does not require a response from this Defendant. To the extent a response is required, paragraph 134 is deemed denied and strict proof of the same is demanded at trial.

135. Paragraph 135 of the Plaintiffs' Complaint does not require a response from this Defendant. To the extent a response is required, paragraph 135 is deemed denied and strict proof of the same is demanded at trial.

136. Paragraph 136 of the Plaintiffs' Complaint does not require a response from this Defendant. To the extent a response is required, paragraph 136 is deemed denied and strict proof of the same is demanded at trial.

137. Paragraph 137 of the Plaintiffs' Complaint does not require a response from this Defendant. To the extent a response is required, paragraph 137 is deemed denied and strict proof of the same is demanded at trial.

138. Paragraph 138 of the Plaintiffs' Complaint does not require a response from this Defendant. To the extent a response is required, paragraph 138 is deemed denied and strict proof of the same is demanded at trial.

139. Paragraph 139 of the Plaintiffs' Complaint does not require a response from this Defendant. To the extent a response is required, paragraph 139 is deemed denied and strict proof of the same is demanded at trial.

140. Paragraph 140 of the Plaintiffs' Complaint does not require a response from this Defendant. To the extent a response is required, paragraph 140 is deemed denied and strict proof of the same is demanded at trial.

141. Paragraph 141 of the Plaintiffs' Complaint does not require a response from this Defendant. To the extent a response is required, paragraph 141 is deemed denied and strict proof of the same is demanded at trial.

142. Paragraph 142 of the Plaintiffs' Complaint does not require a response from this Defendant. However, this Defendant denies that Plaintiff Harbin is entitled to the relief requested in paragraph 142 of the Plaintiffs' Complaint and demands strict proof thereof.

HARBIN COUNT V – FMLA RETALIATION (TPFE)

143. Paragraph 143 of the Plaintiffs' Complaint does not require a response from this Defendant. To the extent a response is required, paragraph 143 is deemed denied and strict proof of the same is demanded at trial.

144. This Defendant denies the allegations contained within paragraph 144 of the Plaintiffs' Complaint and demands strict proof thereof.

145. This Defendant denies the allegations contained within paragraph 145 of the Plaintiffs' Complaint and demands strict proof thereof.

146. This Defendant denies the allegations contained within paragraph 146 of the Plaintiffs' Complaint and demands strict proof thereof.

147. This Defendant denies the allegations contained within paragraph 147 of the Plaintiffs' Complaint and demands strict proof thereof.

148. This Defendant denies the allegations contained within paragraph 148 of the Plaintiffs' Complaint and demands strict proof thereof.

149. This Defendant admits the allegations contained within paragraph 149 of the Plaintiffs' Complaint.

150. This Defendant admits the allegations contained within paragraph 150 of the Plaintiffs' Complaint.

151. This Defendant admits that Plaintiff Harbin was terminated due to a reduction but denies it was the day he returned to work and demands strict proof thereof.

152. This Defendant denies the allegations contained within paragraph 152 of the Plaintiffs' Complaint and demands strict proof thereof.

153. This Defendant denies the allegations contained within paragraph 153 of the Plaintiffs' Complaint and demands strict proof thereof.

154. This Defendant denies the allegations contained within paragraph 154 of the Plaintiffs' Complaint and demands strict proof thereof.

155. This Defendant denies that Plaintiff Harbin is entitled to the relief requested in paragraph 155 of the Plaintiffs' Complaint and demands strict proof thereof.

HARBIN COUNT VI – FMLA RETALIATION (LAV SERVICES)

156. Paragraph 156 of the Plaintiffs' Complaint does not require a response from this Defendant. To the extent a response is required, paragraph 156 is deemed denied and strict proof of the same is demanded at trial.

157. Paragraph 157 of the Plaintiffs' Complaint does not require a response from this Defendant. To the extent a response is required, paragraph 157 is deemed denied and strict proof of the same is demanded at trial.

158. Paragraph 158 of the Plaintiffs' Complaint does not require a response from this Defendant. To the extent a response is required, paragraph 158 is deemed denied and strict proof of the same is demanded at trial.

159. Paragraph 159 of the Plaintiffs' Complaint does not require a response from this Defendant. To the extent a response is required, paragraph 159 is deemed denied and strict proof of the same is demanded at trial.

160. Paragraph 160 of the Plaintiffs' Complaint does not require a response from this Defendant. To the extent a response is required, paragraph 160 is deemed denied and strict proof of the same is demanded at trial.

161. Paragraph 161 of the Plaintiffs' Complaint does not require a response from this Defendant. To the extent a response is required, paragraph 161 is deemed denied and strict proof of the same is demanded at trial.

162. Paragraph 162 of the Plaintiffs' Complaint does not require a response from this Defendant. To the extent a response is required, paragraph 162 is deemed denied and strict proof of the same is demanded at trial.

163. Paragraph 163 of the Plaintiffs' Complaint does not require a response from this Defendant. To the extent a response is required, paragraph 163 is deemed denied and strict proof of the same is demanded at trial.

164. Paragraph 164 of the Plaintiffs' Complaint does not require a response from this Defendant. To the extent a response is required, paragraph 164 is deemed denied and strict proof of the same is demanded at trial.

165. Paragraph 165 of the Plaintiffs' Complaint does not require a response from this Defendant. To the extent a response is required, paragraph 165 is deemed denied and strict proof of the same is demanded at trial.

166. Paragraph 166 of the Plaintiffs' Complaint does not require a response from this Defendant. To the extent a response is required, paragraph 166 is deemed denied and strict proof of the same is demanded at trial.

167. Paragraph 167 of the Plaintiffs' Complaint does not require a response from this Defendant. To the extent a response is required, paragraph 167 is deemed denied and strict proof of the same is demanded at trial.

168. Paragraph 168 of the Plaintiffs' Complaint does not require a response from this Defendant. To the extent a response is required, paragraph 168 is deemed denied and strict proof of the same is demanded at trial.

169. Paragraph 169 of the Plaintiffs' Complaint does not require a response from this Defendant. To the extent a response is required, paragraph 169 is deemed denied and strict proof of the same is demanded at trial.

170. Paragraph 170 of the Plaintiffs' Complaint does not require a response from this Defendant. To the extent a response is required, paragraph 170 is deemed denied and strict proof of the same is demanded at trial.

171. Paragraph 171 of the Plaintiffs' Complaint does not require a response from this Defendant. To the extent a response is required, paragraph 171 is deemed denied and strict proof of the same is demanded at trial.

172. Paragraph 172 of the Plaintiffs' Complaint does not require a response from this Defendant. To the extent a response is required, paragraph 172 is deemed denied and strict proof of the same is demanded at trial.

173. Paragraph 173 of the Plaintiffs' Complaint does not require a response from this Defendant. However, this Defendant denies that Plaintiff Harbin is entitled to the relief requested in paragraph 173 of the Plaintiffs' Complaint and demands strict proof thereof.

HARBIN COUNT VII – FMLA RETALIATION (RICHARD ZEITLIN)

174. Paragraph 174 of the Plaintiffs' Complaint does not require a response from this Defendant. To the extent a response is required, paragraph 174 is deemed denied and strict proof of the same is demanded at trial.

175. Paragraph 175 of the Plaintiffs' Complaint does not require a response from this Defendant. To the extent a response is required, paragraph 175 is deemed denied and strict proof of the same is demanded at trial.

176. Paragraph 176 of the Plaintiffs' Complaint does not require a response from this Defendant. To the extent a response is required, paragraph 176 is deemed denied and strict proof of the same is demanded at trial.

177. Paragraph 177 of the Plaintiffs' Complaint does not require a response from this Defendant. To the extent a response is required, paragraph 177 is deemed denied and strict proof of the same is demanded at trial.

178. Paragraph 178 of the Plaintiffs' Complaint does not require a response from this Defendant. To the extent a response is required, paragraph 178 is deemed denied and strict proof of the same is demanded at trial.

179. Paragraph 179 of the Plaintiffs' Complaint does not require a response from this Defendant. To the extent a response is required, paragraph 179 is deemed denied and strict proof of the same is demanded at trial.

180. Paragraph 180 of the Plaintiffs' Complaint does not require a response from this Defendant. To the extent a response is required, paragraph 180 is deemed denied and strict proof of the same is demanded at trial.

181. Paragraph 181 of the Plaintiffs' Complaint does not require a response from this Defendant. To the extent a response is required, paragraph 181 is deemed denied and strict proof of the same is demanded at trial.

182. Paragraph 182 of the Plaintiffs' Complaint does not require a response from this Defendant. To the extent a response is required, paragraph 182 is deemed denied and strict proof of the same is demanded at trial.

183. Paragraph 183 of the Plaintiffs' Complaint does not require a response from this Defendant. To the extent a response is required, paragraph 183 is deemed denied and strict proof of the same is demanded at trial.

184. Paragraph 184 of the Plaintiffs' Complaint does not require a response from this Defendant. To the extent a response is required, paragraph 184 is deemed denied and strict proof of the same is demanded at trial.

185. Paragraph 185 of the Plaintiffs' Complaint does not require a response from this Defendant. To the extent a response is required, paragraph 185 is deemed denied and strict proof of the same is demanded at trial.

186. Paragraph 186 of the Plaintiffs' Complaint does not require a response from this Defendant. To the extent a response is required, paragraph 186 is deemed denied and strict proof of the same is demanded at trial.

187. Paragraph 187 of the Plaintiffs' Complaint does not require a response from this Defendant. To the extent a response is required, paragraph 187 is deemed denied and strict proof of the same is demanded at trial.

188. Paragraph 188 of the Plaintiffs' Complaint does not require a response from this Defendant. To the extent a response is required, paragraph 188 is deemed denied and strict proof of the same is demanded at trial.

189. Paragraph 189 of the Plaintiffs' Complaint does not require a response from this Defendant. To the extent a response is required, paragraph 189 is deemed denied and strict proof of the same is demanded at trial.

190. Paragraph 190 of the Plaintiffs' Complaint does not require a response from this Defendant. To the extent a response is required, paragraph 190 is deemed denied and strict proof of the same is demanded at trial.

191. Paragraph 191 of the Plaintiffs' Complaint does not require a response from this Defendant. To the extent a response is required, paragraph 191 is deemed denied and strict proof of the same is demanded at trial.

192. Paragraph 192 of the Plaintiffs' Complaint does not require a response from this Defendant. However, this Defendant denies that Plaintiff Harbin is entitled to the relief requested in paragraph 192 of the Plaintiffs' Complaint and demands strict proof thereof.

PLAINTIFF SHONNIE MAGLIONE'S CLAIMS

FACTUAL ALLEGATIONS

193. This Defendant is without sufficient information to either admit or deny the allegations contained in paragraph 193 of the Plaintiffs' Complaint therefore this paragraph is denied

194. This Defendant is without sufficient information to either admit or deny the allegations contained in paragraph 194 of the Plaintiffs' Complaint therefore this paragraph is denied

195. This Defendant denies the allegations contained within paragraph 195 of the Plaintiffs' Complaint and demands strict proof thereof.

196. This Defendant admits the allegations contained within paragraph 196 of the Plaintiffs' Complaint.

197. This Defendant admits the allegations contained within paragraph 197 of the Plaintiffs' Complaint.

198. This Defendant is without sufficient information to either admit or deny the allegations contained in paragraph 198 of the Plaintiffs' Complaint regarding Plaintiff's medical treatment. However, Defendant admits that Plaintiff requested 6 weeks of medical leave.

199. This Defendant denies the allegations contained within paragraph 199 of the Plaintiffs' Complaint.

200. This Defendant admits the allegations contained within paragraph 200 of the Plaintiffs' Complaint.

201. This Defendant denies the allegations contained within paragraph 201 of the Plaintiffs' Complaint and demands strict proof thereof.

202. This Defendant is without sufficient information to either admit or deny the allegations contained in paragraph 202 of the Plaintiffs' Complaint therefore this paragraph is denied

203. This Defendant admits the allegations in paragraph 203 of Plaintiffs 'Complaint.

204. This Defendant denies the allegations contained within paragraph 204 and demands strict proof thereof.

205. This Defendant denies the allegations contained within paragraph 205 and demands strict proof thereof.

206. This Defendant admits the allegations contained within paragraph 206 of the Plaintiffs' Complaint.

207. This Defendant denies the allegations contained within paragraph 207 of the Plaintiffs' Complaint and demands strict proof thereof.

208. This Defendant denies the allegations contained within paragraph 208 of the Plaintiffs' Complaint and demands strict proof thereof.

209. Defendant admits the allegations contained within paragraph 209 of Plaintiffs' Complaint.

210. This Defendant denies the allegations contained within paragraph 210 of the Plaintiffs' Complaint and demands strict proof thereof.

211. This Defendant denies the allegations contained within paragraph 211 of the Plaintiffs' Complaint and demands strict proof thereof.

212. This Defendant denies the allegations contained within paragraph 212 of the Plaintiffs' Complaint and demands strict proof thereof.

213. This Defendant denies the allegations contained within paragraph 213 of the Plaintiffs' Complaint and demands strict proof thereof.

214. This Defendant denies the allegations contained within paragraph 214 of the Plaintiffs' Complaint and demands strict proof thereof.

215. This Defendant denies the allegations contained within paragraph 215 of the Plaintiffs' Complaint and demands strict proof thereof.

216. This Defendant denies the allegations contained within paragraph 216 of the Plaintiffs' Complaint and demands strict proof thereof.

217. This Defendant denies the allegations contained within paragraph 217 of the Plaintiffs' Complaint and demands strict proof thereof.

218. Paragraph 218 of the Plaintiffs' Complaint does not require a response from this Defendant. To the extent a response is required, paragraph 218 is deemed denied and strict proof of the same is demanded at trial.

219. This Defendant denies the allegations contained within paragraph 219 of the Plaintiffs' Complaint and demands strict proof thereof.

220. Paragraph 220 of the Plaintiffs' Complaint does not require a response from this Defendant. To the extent a response is required, paragraph 220 is deemed denied and strict proof of the same is demanded at trial.

221. Paragraph 221 of the Plaintiffs' Complaint does not require a response from this Defendant. To the extent a response is required, paragraph 221 is deemed denied and strict proof of the same is demanded at trial.

222. This Defendant denies the allegations contained within paragraph 222 of the Plaintiffs' Complaint and demands strict proof thereof.

223. Paragraph 223 of the Plaintiffs' Complaint does not require a response from this Defendant. To the extent a response is required, paragraph 223 is deemed denied and strict proof of the same is demanded at trial.

224. Paragraph 224 of the Plaintiffs' Complaint does not require a response from this Defendant. To the extent a response is required, paragraph 224 is deemed denied and strict proof of the same is demanded at trial.

225. Paragraph 225 of the Plaintiffs' Complaint does not require a response from this Defendant. To the extent a response is required, paragraph 225 is deemed denied and strict proof of the same is demanded at trial.

MAGLIONE COUNT VIII – ADA DISABILITY DISCRIMINATION (TPFE)

226. Paragraph 226 of the Plaintiffs' Complaint does not require a response from this Defendant. To the extent a response is required, paragraph 226 is deemed denied and strict proof of the same is demanded at trial.

227. Paragraph 227 of the Plaintiffs' Complaint does not require a response from this Defendant. To the extent a response is required, paragraph 227 is deemed denied and strict proof of the same is demanded at trial.

228. This Defendant is without sufficient information to either admit or deny the allegations contained in paragraph 228 of the Plaintiffs' Complaint therefore this paragraph is denied.

229. This Defendant is without sufficient information to either admit or deny the allegations contained in paragraph 229 of the Plaintiffs' Complaint therefore this paragraph is denied.

230. This Defendant denies the allegations contained within paragraph 230 of the Plaintiffs' Complaint and demands strict proof thereof.

231. This Defendant admits the allegations contained within paragraph 231 of the Plaintiffs' Complaint.*

232. This Defendant admits the allegations contained within paragraph 232 of the Plaintiffs' Complaint.

233. This Defendant admits the allegations contained within paragraph 233 of the Plaintiffs' Complaint.

234. This Defendant admits that it allowed Plaintiff one (1) week of medical leave but denies the six (6) weeks requested was reasonable and demands strict proof thereof.*

235. This Defendant denies the allegations contained within paragraph 235 of the Plaintiffs' Complaint and demands strict proof thereof.

236. This Defendant denies the allegations contained within paragraph 236 of the Plaintiffs' Complaint and demands strict proof thereof.

237. This Defendant admits the allegations contained within paragraph 237 of the Plaintiffs' Complaint.

238. This Defendant denies the allegations contained within paragraph 238 of the Plaintiffs' Complaint and demands strict proof thereof.

239. This Defendant denies the allegations contained within paragraph 239 of the Plaintiffs' Complaint and demands strict proof thereof.

240. This Defendant denies the allegations contained within paragraph 240 of the Plaintiffs' Complaint and demands strict proof thereof.

241. This Defendant denies the allegations contained within paragraph 241 of the Plaintiffs' Complaint and demands strict proof thereof.

242. This Defendant denies the allegations contained within paragraph 242 of the Plaintiffs' Complaint and demands strict proof thereof.

243. This Defendant denies that Plaintiff Maglione is entitled to the relief requested in paragraph 243 of the Plaintiffs' Complaint and demands strict proof thereof.

MAGLIONE COUNT IX – ADA DISABILITY DISCRIMINATION (LAV SERVICES)

244. Paragraph 244 of the Plaintiffs' Complaint does not require a response from this Defendant. To the extent a response is required, paragraph 244 is deemed denied and strict proof of the same is demanded at trial.

245. Paragraph 245 of the Plaintiffs' Complaint does not require a response from this Defendant. To the extent a response is required, paragraph 245 is deemed denied and strict proof of the same is demanded at trial.

246. Paragraph 246 of the Plaintiffs' Complaint does not require a response from this Defendant. To the extent a response is required, paragraph 246 is deemed denied and strict proof of the same is demanded at trial.

247. Paragraph 247 of the Plaintiffs' Complaint does not require a response from this Defendant. To the extent a response is required, paragraph 247 is deemed denied and strict proof of the same is demanded at trial.

248. Paragraph 248 of the Plaintiffs' Complaint does not require a response from this Defendant. To the extent a response is required, paragraph 248 is deemed denied and strict proof of the same is demanded at trial.

249. Paragraph 249 of the Plaintiffs' Complaint does not require a response from this Defendant. To the extent a response is required, paragraph 249 is deemed denied and strict proof of the same is demanded at trial.

250. Paragraph 250 of the Plaintiffs' Complaint does not require a response from this Defendant. To the extent a response is required, paragraph 250 is deemed denied and strict proof of the same is demanded at trial.

251. Paragraph 251 of the Plaintiffs' Complaint does not require a response from this Defendant. To the extent a response is required, paragraph 251 is deemed denied and strict proof of the same is demanded at trial.

252. Paragraph 252 of the Plaintiffs' Complaint does not require a response from this Defendant. To the extent a response is required, paragraph 252 is deemed denied and strict proof of the same is demanded at trial.

253. Paragraph 253 of the Plaintiffs' Complaint does not require a response from this Defendant. To the extent a response is required, paragraph 253 is deemed denied and strict proof of the same is demanded at trial.

254. Paragraph 254 of the Plaintiffs' Complaint does not require a response from this Defendant. To the extent a response is required, paragraph 254 is deemed denied and strict proof of the same is demanded at trial.

255. Paragraph 255 of the Plaintiffs' Complaint does not require a response from this Defendant. To the extent a response is required, paragraph 255 is deemed denied and strict proof of the same is demanded at trial.

256. Paragraph 256 of the Plaintiffs' Complaint does not require a response from this Defendant. To the extent a response is required, paragraph 256 is deemed denied and strict proof of the same is demanded at trial.

257. Paragraph 257 of the Plaintiffs' Complaint does not require a response from this Defendant. To the extent a response is required, paragraph 257 is deemed denied and strict proof of the same is demanded at trial.

258. Paragraph 258 of the Plaintiffs' Complaint does not require a response from this Defendant. To the extent a response is required, paragraph 258 is deemed denied and strict proof of the same is demanded at trial.

259. Paragraph 259 of the Plaintiffs' Complaint does not require a response from this Defendant. To the extent a response is required, paragraph 259 is deemed denied and strict proof of the same is demanded at trial.

260. Paragraph 260 of the Plaintiffs' Complaint does not require a response from this Defendant. To the extent a response is required, paragraph 260 is deemed denied and strict proof of the same is demanded at trial.

261. Paragraph 261 of the Plaintiffs' Complaint does not require a response from this Defendant. To the extent a response is required, paragraph 261 is deemed denied and strict proof of the same is demanded at trial.

262. Paragraph 262 of the Plaintiffs' Complaint does not require a response from this Defendant. To the extent a response is required, paragraph 262 is deemed denied and strict proof of the same is demanded at trial.

263. Paragraph 263 of the Plaintiffs' Complaint does not require a response from this Defendant. To the extent a response is required, paragraph 263 is deemed denied and strict proof of the same is demanded at trial.

264. Paragraph 264 of the Plaintiffs' Complaint does not require a response from this Defendant. To the extent a response is required, paragraph 264 is deemed denied and strict proof of the same is demanded at trial.

265. Paragraph 265 of the Plaintiffs' Complaint does not require a response from this Defendant. However, this Defendant denies that Plaintiff Maglione is entitled to the relief requested in paragraph 265 of the Plaintiffs' Complaint and demands strict proof thereof.

MAGLIONE COUNT X – ADA RETALIATION (TPFE)

266. Paragraph 266 of the Plaintiffs' Complaint does not require a response from this Defendant. To the extent a response is required, paragraph 266 is deemed denied and strict proof of the same is demanded at trial.

267. Paragraph 267 of the Plaintiffs' Complaint does not require a response from this Defendant. To the extent a response is required, paragraph 267 is deemed denied and strict proof of the same is demanded at trial.

268. This Defendant is without sufficient information to either admit or deny the allegations contained in paragraph 268 of the Plaintiffs' Complaint therefore this paragraph is denied.

269. This Defendant is without sufficient information to either admit or deny the allegations contained in paragraph 269 of the Plaintiffs' Complaint therefore this paragraph is denied.

270. This Defendant denies the allegations contained within paragraph 270 of the Plaintiffs' Complaint and demands strict proof thereof.

271. This Defendant admits the allegations contained within paragraph 271 of the Plaintiffs' Complaint.*

272. This Defendant admits the allegations contained within paragraph 272 of the Plaintiffs' Complaint and demands strict proof thereof.

273. This Defendant admits the allegations contained within paragraph 273 of the Plaintiffs' Complaint.

274. This Defendant admits that it allowed Plaintiff one (1) week of medical leave but denies the six (6) weeks requested was reasonable and demands strict proof thereof.

275. This Defendant denies the allegations contained within paragraph 275 of the Plaintiffs' Complaint and demands strict proof thereof.

276. This Defendant denies the allegations contained within paragraph 276 of the Plaintiffs' Complaint and demands strict proof thereof.

277. This Defendant admits the allegations contained within paragraph 277 of the Plaintiffs' Complaint.

278. This Defendant denies the allegations contained within paragraph 278 of the Plaintiffs' Complaint and demands strict proof thereof.

279. This Defendant denies the allegations contained within paragraph 279 of the Plaintiffs' Complaint and demands strict proof thereof.

280. This Defendant denies the allegations contained within paragraph 280 of the Plaintiffs' Complaint and demands strict proof thereof.

281. This Defendant denies the allegations contained within paragraph 281 of the Plaintiffs' Complaint and demands strict proof thereof.

282. This Defendant denies the allegations contained within paragraph 282 of the Plaintiffs' Complaint and demands strict proof thereof.

283. This Defendant denies that Plaintiff Maglione is entitled to the relief requested in paragraph 283 of the Plaintiffs' Complaint and demands strict proof thereof.

MAGLIONE COUNT XI – ADA RETALIATION (LAV SERVICES)

284. Paragraph 284 of the Plaintiffs' Complaint does not require a response from this Defendant. To the extent a response is required, paragraph 284 is deemed denied and strict proof of the same is demanded at trial.

285. Paragraph 285 of the Plaintiffs' Complaint does not require a response from this Defendant. To the extent a response is required, paragraph 285 is deemed denied and strict proof of the same is demanded at trial.

286. Paragraph 286 of the Plaintiffs' Complaint does not require a response from this Defendant. To the extent a response is required, paragraph 286 is deemed denied and strict proof of the same is demanded at trial.

287. Paragraph 287 of the Plaintiffs' Complaint does not require a response from this Defendant. To the extent a response is required, paragraph 287 is deemed denied and strict proof of the same is demanded at trial.

288. Paragraph 288 of the Plaintiffs' Complaint does not require a response from this Defendant. To the extent a response is required, paragraph 288 is deemed denied and strict proof of the same is demanded at trial.

289. Paragraph 289 of the Plaintiffs' Complaint does not require a response from this Defendant. To the extent a response is required, paragraph 289 is deemed denied and strict proof of the same is demanded at trial.

290. Paragraph 290 of the Plaintiffs' Complaint does not require a response from this Defendant. To the extent a response is required, paragraph 290 is deemed denied and strict proof of the same is demanded at trial.

291. Paragraph 291 of the Plaintiffs' Complaint does not require a response from this Defendant. To the extent a response is required, paragraph 291 is deemed denied and strict proof of the same is demanded at trial.

292. Paragraph 292 of the Plaintiffs' Complaint does not require a response from this Defendant. To the extent a response is required, paragraph 292 is deemed denied and strict proof of the same is demanded at trial.

293. Paragraph 293 of the Plaintiffs' Complaint does not require a response from this Defendant. To the extent a response is required, paragraph 293 is deemed denied and strict proof of the same is demanded at trial.

294. Paragraph 294 of the Plaintiffs' Complaint does not require a response from this Defendant. To the extent a response is required, paragraph 294 is deemed denied and strict proof of the same is demanded at trial.

295. Paragraph 295 of the Plaintiffs' Complaint does not require a response from this Defendant. To the extent a response is required, paragraph 295 is deemed denied and strict proof of the same is demanded at trial.

296. Paragraph 296 of the Plaintiffs' Complaint does not require a response from this Defendant. To the extent a response is required, paragraph 296 is deemed denied and strict proof of the same is demanded at trial.

297. Paragraph 297 of the Plaintiffs' Complaint does not require a response from this Defendant. To the extent a response is required, paragraph 297 is deemed denied and strict proof of the same is demanded at trial.

298. Paragraph 298 of the Plaintiffs' Complaint does not require a response from this Defendant. To the extent a response is required, paragraph 298 is deemed denied and strict proof of the same is demanded at trial.

299. Paragraph 299 of the Plaintiffs' Complaint does not require a response from this Defendant. To the extent a response is required, paragraph 299 is deemed denied and strict proof of the same is demanded at trial.

300. Paragraph 300 of the Plaintiffs' Complaint does not require a response from this Defendant. To the extent a response is required, paragraph 300 is deemed denied and strict proof of the same is demanded at trial.

301. Paragraph 301 of the Plaintiffs' Complaint does not require a response from this Defendant. To the extent a response is required, paragraph 301 is deemed denied and strict proof of the same is demanded at trial.

302. Paragraph 302 of the Plaintiffs' Complaint does not require a response from this Defendant. To the extent a response is required, paragraph 302 is deemed denied and strict proof of the same is demanded at trial.

303. Paragraph 303 of the Plaintiffs' Complaint does not require a response from this Defendant. To the extent a response is required, paragraph 303 is deemed denied and strict proof of the same is demanded at trial.

304. Paragraph 304 of the Plaintiffs' Complaint does not require a response from this Defendant. To the extent a response is required, paragraph 304 is deemed denied and strict proof of the same is demanded at trial.

305. Paragraph 305 of the Plaintiffs' Complaint does not require a response from this Defendant. To the extent a response is required, paragraph 305 is deemed denied and strict proof of the same is demanded at trial.

MAGLIONE COUNT XII – FMLA INTERFERENCE RETALIATION (TPFE)

306. Paragraph 306 of the Plaintiffs' Complaint does not require a response from this Defendant. To the extent a response is required, paragraph 306 is deemed denied and strict proof of the same is demanded at trial.

307. This Defendant admits the allegations contained within paragraph 307 of the Plaintiffs' Complaint.

308. This Defendant denies the allegations contained within paragraph 308 of the Plaintiffs' Complaint and demands strict proof thereof.

309. This Defendant denies the allegations contained within paragraph 309 of the Plaintiffs' Complaint and demands strict proof thereof.

310. This Defendant denies the allegations contained within paragraph 310 of the Plaintiffs' Complaint and demands strict proof thereof.

311. This Defendant denies the allegations contained within paragraph 311 of the Plaintiffs' Complaint and demands strict proof thereof.

312. This Defendant denies the allegations contained within paragraph 312 of the Plaintiffs' Complaint and demands strict proof thereof.

313. This Defendant denies the allegations contained within paragraph 313 of the Plaintiffs' Complaint and demands strict proof thereof.

314. This Defendant denies the allegations contained within paragraph 314 of the Plaintiffs' Complaint and demands strict proof thereof.

315. This Defendant denies the allegations contained within paragraph 315 of the Plaintiffs' Complaint and demands strict proof thereof.

316. This Defendant denies the allegations contained within paragraph 316 of the Plaintiffs' Complaint and demands strict proof thereof.

317. This Defendant denies the allegations contained within paragraph 317 of the Plaintiffs' Complaint and demands strict proof thereof.

318. This Defendant denies that Plaintiff Maglione is entitled to the relief requested in paragraph 318 of the Plaintiffs' Complaint and demands strict proof thereof.

MAGLIONE COUNT XIII – FMLA INTERFERENCE (LAV SERVICES)

319. Paragraph 319 of the Plaintiffs' Complaint does not require a response from this Defendant. To the extent a response is required, paragraph 319 is deemed denied and strict proof of the same is demanded at trial.

320. Paragraph 320 of the Plaintiffs' Complaint does not require a response from this Defendant. To the extent a response is required, paragraph 320 is deemed denied and strict proof of the same is demanded at trial.

321. Paragraph 321 of the Plaintiffs' Complaint does not require a response from this Defendant. To the extent a response is required, paragraph 321 is deemed denied and strict proof of the same is demanded at trial.

322. Paragraph 322 of the Plaintiffs' Complaint does not require a response from this Defendant. To the extent a response is required, paragraph 322 is deemed denied and strict proof of the same is demanded at trial.

323. Paragraph 323 of the Plaintiffs' Complaint does not require a response from this Defendant. To the extent a response is required, paragraph 323 is deemed denied and strict proof of the same is demanded at trial.

324. Paragraph 324 of the Plaintiffs' Complaint does not require a response from this Defendant. To the extent a response is required, paragraph 324 is deemed denied and strict proof of the same is demanded at trial.

325. Paragraph 325 of the Plaintiffs' Complaint does not require a response from this Defendant. To the extent a response is required, paragraph 325 is deemed denied and strict proof of the same is demanded at trial.

326. Paragraph 326 of the Plaintiffs' Complaint does not require a response from this Defendant. To the extent a response is required, paragraph 326 is deemed denied and strict proof of the same is demanded at trial.

327. Paragraph 327 of the Plaintiffs' Complaint does not require a response from this Defendant. To the extent a response is required, paragraph 327 is deemed denied and strict proof of the same is demanded at trial.

328. Paragraph 328 of the Plaintiffs' Complaint does not require a response from this Defendant. To the extent a response is required, paragraph 328 is deemed denied and strict proof of the same is demanded at trial.

329. Paragraph 329 of the Plaintiffs' Complaint does not require a response from this Defendant. To the extent a response is required, paragraph 329 is deemed denied and strict proof of the same is demanded at trial.

330. Paragraph 330 of the Plaintiffs' Complaint does not require a response from this Defendant. To the extent a response is required, paragraph 330 is deemed denied and strict proof of the same is demanded at trial.

331. Paragraph 331 of the Plaintiffs' Complaint does not require a response from this Defendant. To the extent a response is required, paragraph 331 is deemed denied and strict proof of the same is demanded at trial.

332. Paragraph 332 of the Plaintiffs' Complaint does not require a response from this Defendant. To the extent a response is required, paragraph 332 is deemed denied and strict proof of the same is demanded at trial.

333. Paragraph 333 of the Plaintiffs' Complaint does not require a response from this Defendant. To the extent a response is required, paragraph 333 is deemed denied and strict proof of the same is demanded at trial.

334. Paragraph 334 of the Plaintiffs' Complaint does not require a response from this Defendant. To the extent a response is required, paragraph 334 is deemed denied and strict proof of the same is demanded at trial.

335. Paragraph 335 of the Plaintiffs' Complaint does not require a response from this Defendant. However, this Defendant denies that Plaintiff Maglione is entitled to the relief requested in paragraph 335 of the Plaintiffs' Complaint and demands strict proof thereof.

MAGLIONE COUNT XIV – FMLA INTERFERENCE (RICHARD ZEITLIN)

336. Paragraph 336 of the Plaintiffs' Complaint does not require a response from this Defendant. To the extent a response is required, paragraph 336 is deemed denied and strict proof of the same is demanded at trial.

337. Paragraph 337 of the Plaintiffs' Complaint does not require a response from this Defendant. To the extent a response is required, paragraph 337 is deemed denied and strict proof of the same is demanded at trial.

338. Paragraph 338 of the Plaintiffs' Complaint does not require a response from this Defendant. To the extent a response is required, paragraph 338 is deemed denied and strict proof of the same is demanded at trial.

339. Paragraph 339 of the Plaintiffs' Complaint does not require a response from this Defendant. To the extent a response is required, paragraph 339 is deemed denied and strict proof of the same is demanded at trial.

340. Paragraph 340 of the Plaintiffs' Complaint does not require a response from this Defendant. To the extent a response is required, paragraph 340 is deemed denied and strict proof of the same is demanded at trial.

341. Paragraph 341 of the Plaintiffs' Complaint does not require a response from this Defendant. To the extent a response is required, paragraph 341 is deemed denied and strict proof of the same is demanded at trial.

342. Paragraph 342 of the Plaintiffs' Complaint does not require a response from this Defendant. To the extent a response is required, paragraph 342 is deemed denied and strict proof of the same is demanded at trial.

343. Paragraph 343 of the Plaintiffs' Complaint does not require a response from this Defendant. To the extent a response is required, paragraph 343 is deemed denied and strict proof of the same is demanded at trial.

344. Paragraph 344 of the Plaintiffs' Complaint does not require a response from this Defendant. To the extent a response is required, paragraph 344 is deemed denied and strict proof of the same is demanded at trial.

345. Paragraph 345 of the Plaintiffs' Complaint does not require a response from this Defendant. To the extent a response is required, paragraph 345 is deemed denied and strict proof of the same is demanded at trial.

346. Paragraph 346 of the Plaintiffs' Complaint does not require a response from this Defendant. To the extent a response is required, paragraph 346 is deemed denied and strict proof of the same is demanded at trial.

347. Paragraph 347 of the Plaintiffs' Complaint does not require a response from this Defendant. To the extent a response is required, paragraph 347 is deemed denied and strict proof of the same is demanded at trial.

348. Paragraph 348 of the Plaintiffs' Complaint does not require a response from this Defendant. To the extent a response is required, paragraph 348 is deemed denied and strict proof of the same is demanded at trial.

349. Paragraph 349 of the Plaintiffs' Complaint does not require a response from this Defendant. To the extent a response is required, paragraph 349 is deemed denied and strict proof of the same is demanded at trial.

350. Paragraph 350 of the Plaintiffs' Complaint does not require a response from this Defendant. To the extent a response is required, paragraph 350 is deemed denied and strict proof of the same is demanded at trial.

351. Paragraph 351 of the Plaintiffs' Complaint does not require a response from this Defendant. To the extent a response is required, paragraph 351 is deemed denied and strict proof of the same is demanded at trial.

352. Paragraph 352 of the Plaintiffs' Complaint does not require a response from this Defendant. To the extent a response is required, paragraph 352 is deemed denied and strict proof of the same is demanded at trial.

353. Paragraph 353 of the Plaintiffs' Complaint does not require a response from this Defendant. However, this Defendant denies that Plaintiff Maglione is entitled to the relief requested in paragraph 353 of the Plaintiffs' Complaint and demands strict proof thereof.

MAGLIONE COUNT XV – FMLA RETALIATION (TPFE)

354. Paragraph 354 of the Plaintiffs' Complaint does not require a response from this Defendant. To the extent a response is required, paragraph 354 is deemed denied and strict proof of the same is demanded at trial.

355. This Defendant admits the allegations contained within paragraph 355 of the Plaintiffs' Complaint.

356. This Defendant denies the allegations contained within paragraph 356 of the Plaintiffs' Complaint and demands strict proof thereof.

357. This Defendant denies the allegations contained within paragraph 357 of the Plaintiffs' Complaint and demands strict proof thereof.

358. This Defendant denies the allegations contained within paragraph 358 of the Plaintiffs' Complaint and demands strict proof thereof.

359. This Defendant denies the allegations contained within paragraph 359 of the Plaintiffs' Complaint and demands strict proof thereof.

360. This Defendant denies the allegations contained within paragraph 360 of the Plaintiffs' Complaint and demands strict proof thereof.

361. This Defendant denies the allegations contained within paragraph 361 of the Plaintiffs' Complaint and demands strict proof thereof.

362. This Defendant denies the allegations contained within paragraph 362 of the Plaintiffs' Complaint and demands strict proof thereof.

363. This Defendant is without sufficient information to either admit or deny the allegations contained in paragraph 363 of the Plaintiffs' Complaint therefore this paragraph is denied.

364. This Defendant denies the allegations contained within paragraph 364 of the Plaintiffs' Complaint and demands strict proof thereof.

365. This Defendant denies the allegations contained within paragraph 365 of the Plaintiffs' Complaint and demands strict proof thereof.

366. This Defendant admits the allegations contained within paragraph 366 of the Plaintiffs' Complaint.

367. This Defendant denies the allegations contained within paragraph 367 of the Plaintiffs' Complaint and demands strict proof thereof.

368. This Defendant admits that Plaintiff Maglione was provided an Employee Termination notice that stated her position was no longer available but denies the alleged statement from Mr. Norris and demands strict proof thereof.

369. This Defendant denies the allegations contained within paragraph 369 of the Plaintiffs' Complaint and demands strict proof thereof.

370. This Defendant denies the allegations contained within paragraph 370 of the Plaintiffs' Complaint and demands strict proof thereof.

371. This Defendant denies the allegations contained within paragraph 371 of the Plaintiffs' Complaint and demands strict proof thereof.

372. This Defendant denies that Plaintiff Maglione is entitled to the relief requested in paragraph 372 of the Plaintiffs' Complaint and demands strict proof thereof.

MAGLIONE COUNT XVI – FMLA RETALIATION (LAV SERVICES)

373. Paragraph 373 of the Plaintiffs' Complaint does not require a response from this Defendant. To the extent a response is required, paragraph 373 is deemed denied and strict proof of the same is demanded at trial.

374. Paragraph 374 of the Plaintiffs' Complaint does not require a response from this Defendant. To the extent a response is required, paragraph 374 is deemed denied and strict proof of the same is demanded at trial.

375. Paragraph 375 of the Plaintiffs' Complaint does not require a response from this Defendant. To the extent a response is required, paragraph 375 is deemed denied and strict proof of the same is demanded at trial.

376. Paragraph 376 of the Plaintiffs' Complaint does not require a response from this Defendant. To the extent a response is required, paragraph 376 is deemed denied and strict proof of the same is demanded at trial.

377. Paragraph 377 of the Plaintiffs' Complaint does not require a response from this Defendant. To the extent a response is required, paragraph 377 is deemed denied and strict proof of the same is demanded at trial.

378. Paragraph 378 of the Plaintiffs' Complaint does not require a response from this Defendant. To the extent a response is required, paragraph 378 is deemed denied and strict proof of the same is demanded at trial.

379. Paragraph 379 of the Plaintiffs' Complaint does not require a response from this Defendant. To the extent a response is required, paragraph 379 is deemed denied and strict proof of the same is demanded at trial.

380. Paragraph 380 of the Plaintiffs' Complaint does not require a response from this Defendant. To the extent a response is required, paragraph 380 is deemed denied and strict proof of the same is demanded at trial.

381. Paragraph 381 of the Plaintiffs' Complaint does not require a response from this Defendant. To the extent a response is required, paragraph 381 is deemed denied and strict proof of the same is demanded at trial.

382. Paragraph 382 of the Plaintiffs' Complaint does not require a response from this Defendant. To the extent a response is required, paragraph 382 is deemed denied and strict proof of the same is demanded at trial.

383. Paragraph 383 of the Plaintiffs' Complaint does not require a response from this Defendant. To the extent a response is required, paragraph 383 is deemed denied and strict proof of the same is demanded at trial.

384. Paragraph 384 of the Plaintiffs' Complaint does not require a response from this Defendant. To the extent a response is required, paragraph 384 is deemed denied and strict proof of the same is demanded at trial.

385. Paragraph 385 of the Plaintiffs' Complaint does not require a response from this Defendant. To the extent a response is required, paragraph 385 is deemed denied and strict proof of the same is demanded at trial.

386. Paragraph 386 of the Plaintiffs' Complaint does not require a response from this Defendant. To the extent a response is required, paragraph 386 is deemed denied and strict proof of the same is demanded at trial.

387. Paragraph 387 of the Plaintiffs' Complaint does not require a response from this Defendant. To the extent a response is required, paragraph 387 is deemed denied and strict proof of the same is demanded at trial.

388. Paragraph 388 of the Plaintiffs' Complaint does not require a response from this Defendant. To the extent a response is required, paragraph 388 is deemed denied and strict proof of the same is demanded at trial.

389. Paragraph 389 of the Plaintiffs' Complaint does not require a response from this Defendant. To the extent a response is required, paragraph 389 is deemed denied and strict proof of the same is demanded at trial.

390. Paragraph 390 of the Plaintiffs' Complaint does not require a response from this Defendant. To the extent a response is required, paragraph 390 is deemed denied and strict proof of the same is demanded at trial.

391. Paragraph 391 of the Plaintiffs' Complaint does not require a response from this Defendant. To the extent a response is required, paragraph 391 is deemed denied and strict proof of the same is demanded at trial.

392. Paragraph 392 of the Plaintiffs' Complaint does not require a response from this Defendant. To the extent a response is required, paragraph 392 is deemed denied and strict proof of the same is demanded at trial.

393. Paragraph 393 of the Plaintiffs' Complaint does not require a response from this Defendant. To the extent a response is required, paragraph 393 is deemed denied and strict proof of the same is demanded at trial.

394. Paragraph 394 of the Plaintiffs' Complaint does not require a response from this Defendant. To the extent a response is required, paragraph 394 is deemed denied and strict proof of the same is demanded at trial.

395. Paragraph 395 of the Plaintiffs' Complaint does not require a response from this Defendant. However, this Defendant denies that Plaintiff Maglione is entitled to the relief requested in paragraph 395 of the Plaintiffs' Complaint and demands strict proof thereof.

MAGLIONE COUNT XVII – FMLA RETALIATION (RICHARD ZEITLIN)

396. Paragraph 396 of the Plaintiffs' Complaint does not require a response from this Defendant. To the extent a response is required, paragraph 396 is deemed denied and strict proof of the same is demanded at trial.

397. Paragraph 397 of the Plaintiffs' Complaint does not require a response from this Defendant. To the extent a response is required, paragraph 397 is deemed denied and strict proof of the same is demanded at trial.

398. Paragraph 398 of the Plaintiffs' Complaint does not require a response from this Defendant. To the extent a response is required, paragraph 398 is deemed denied and strict proof of the same is demanded at trial.

399. Paragraph 399 of the Plaintiffs' Complaint does not require a response from this Defendant. To the extent a response is required, paragraph 399 is deemed denied and strict proof of the same is demanded at trial.

400. Paragraph 400 of the Plaintiffs' Complaint does not require a response from this Defendant. To the extent a response is required, paragraph 400 is deemed denied and strict proof of the same is demanded at trial.

401. Paragraph 401 of the Plaintiffs' Complaint does not require a response from this Defendant. To the extent a response is required, paragraph 401 is deemed denied and strict proof of the same is demanded at trial.

402. Paragraph 402 of the Plaintiffs' Complaint does not require a response from this Defendant. To the extent a response is required, paragraph 402 is deemed denied and strict proof of the same is demanded at trial.

403. Paragraph 403 of the Plaintiffs' Complaint does not require a response from this Defendant. To the extent a response is required, paragraph 403 is deemed denied and strict proof of the same is demanded at trial.

404. Paragraph 404 of the Plaintiffs' Complaint does not require a response from this Defendant. To the extent a response is required, paragraph 404 is deemed denied and strict proof of the same is demanded at trial.

405. Paragraph 405 of the Plaintiffs' Complaint does not require a response from this Defendant. To the extent a response is required, paragraph 405 is deemed denied and strict proof of the same is demanded at trial.

406. Paragraph 406 of the Plaintiffs' Complaint does not require a response from this Defendant. To the extent a response is required, paragraph 406 is deemed denied and strict proof of the same is demanded at trial.

407. Paragraph 407 of the Plaintiffs' Complaint does not require a response from this Defendant. To the extent a response is required, paragraph 407 is deemed denied and strict proof of the same is demanded at trial.

408. Paragraph 408 of the Plaintiffs' Complaint does not require a response from this Defendant. To the extent a response is required, paragraph 408 is deemed denied and strict proof of the same is demanded at trial.

409. Paragraph 409 of the Plaintiffs' Complaint does not require a response from this Defendant. To the extent a response is required, paragraph 409 is deemed denied and strict proof of the same is demanded at trial.

410. Paragraph 410 of the Plaintiffs' Complaint does not require a response from this Defendant. To the extent a response is required, paragraph 410 is deemed denied and strict proof of the same is demanded at trial.

411. Paragraph 411 of the Plaintiffs' Complaint does not require a response from this Defendant. To the extent a response is required, paragraph 411 is deemed denied and strict proof of the same is demanded at trial.

412. Paragraph 412 of the Plaintiffs' Complaint does not require a response from this Defendant. To the extent a response is required, paragraph 412 is deemed denied and strict proof of the same is demanded at trial.

413. Paragraph 413 of the Plaintiffs' Complaint does not require a response from this Defendant. To the extent a response is required, paragraph 413 is deemed denied and strict proof of the same is demanded at trial.

414. Paragraph 414 of the Plaintiffs' Complaint does not require a response from this Defendant. To the extent a response is required, paragraph 414 is deemed denied and strict proof of the same is demanded at trial.

415. Paragraph 415 of the Plaintiffs' Complaint does not require a response from this Defendant. To the extent a response is required, paragraph 415 is deemed denied and strict proof of the same is demanded at trial.

416. Paragraph 416 of the Plaintiffs' Complaint does not require a response from this Defendant. To the extent a response is required, paragraph 416 is deemed denied and strict proof of the same is demanded at trial.

417. Paragraph 417 of the Plaintiffs' Complaint does not require a response from this Defendant. To the extent a response is required, paragraph 417 is deemed denied and strict proof of the same is demanded at trial.

418. Paragraph 418 of the Plaintiffs' Complaint does not require a response from this Defendant. To the extent a response is required, paragraph 418 is deemed denied and strict proof of the same is demanded at trial.

419. Paragraph 419 of the Plaintiffs' Complaint does not require a response from this Defendant. However, this Defendant denies that Plaintiff Maglione is entitled to the relief requested in paragraph 419 of the Plaintiffs' Complaint and demands strict proof thereof.

MAGLIONE COUNT XVIII – COBRA & ERISA VIOLATIONS (TPFE)

420. Paragraph 420 of the Plaintiffs' Complaint does not require a response from this Defendant. To the extent a response is required, paragraph 420 is deemed denied and strict proof of the same is demanded at trial.

421. Paragraph 421 of the Plaintiffs' Complaint does not require a response from this Defendant. To the extent a response is required, paragraph 421 is deemed denied and strict proof of the same is demanded at trial.

422. This Defendant denies the allegations contained within paragraph 422 of the Plaintiffs' Complaint and demands strict proof thereof.

423. This Defendant denies the allegations contained within paragraph 423 of the Plaintiffs' Complaint and demands strict proof thereof.

424. This Defendant admits the allegations contained within paragraph 424 of the Plaintiffs' Complaint.

425. This Defendant denies the allegations contained within paragraph 425 of the Plaintiffs' Complaint and demands strict proof thereof.

426. This Defendant denies that Plaintiff Maglione is entitled to the relief requested in paragraph 426 of the Plaintiffs' Complaint and demands strict proof thereof.

MAGLIONE COUNT XIX – COBRA & ERISA VIOLATIONS (LAV SERVICES)

427. Paragraph 427 of the Plaintiffs' Complaint does not require a response from this Defendant. To the extent a response is required, paragraph 427 is deemed denied and strict proof of the same is demanded at trial.

428. Paragraph 428 of the Plaintiffs' Complaint does not require a response from this Defendant. To the extent a response is required, paragraph 428 is deemed denied and strict proof of the same is demanded at trial.

429. Paragraph 429 of the Plaintiffs' Complaint does not require a response from this Defendant. To the extent a response is required, paragraph 429 is deemed denied and strict proof of the same is demanded at trial.

430. Paragraph 430 of the Plaintiffs' Complaint does not require a response from this Defendant. To the extent a response is required, paragraph 430 is deemed denied and strict proof of the same is demanded at trial.

431. Paragraph 431 of the Plaintiffs' Complaint does not require a response from this Defendant. To the extent a response is required, paragraph 431 is deemed denied and strict proof of the same is demanded at trial.

432. Paragraph 432 of the Plaintiffs' Complaint does not require a response from this Defendant. To the extent a response is required, paragraph 432 is deemed denied and strict proof of the same is demanded at trial.

433. Paragraph 433 of the Plaintiffs' Complaint does not require a response from this Defendant. To the extent a response is required, paragraph 433 is deemed denied and strict proof of the same is demanded at trial.

434. Paragraph 434 of the Plaintiffs' Complaint does not require a response from this Defendant. To the extent a response is required, paragraph 434 is deemed denied and strict proof of the same is demanded at trial.

435. Paragraph 435 of the Plaintiffs' Complaint does not require a response from this Defendant. To the extent a response is required, paragraph 435 is deemed denied and strict proof of the same is demanded at trial.

436. Paragraph 436 of the Plaintiffs' Complaint does not require a response from this Defendant. To the extent a response is required, paragraph 436 is deemed denied and strict proof of the same is demanded at trial.

437. Paragraph 437 of the Plaintiffs' Complaint does not require a response from this Defendant. To the extent a response is required, paragraph 437 is deemed denied and strict proof of the same is demanded at trial.

438. Paragraph 438 of the Plaintiffs' Complaint does not require a response from this Defendant. To the extent a response is required, paragraph 438 is deemed denied and strict proof of the same is demanded at trial.

439. Paragraph 439 of the Plaintiffs' Complaint does not require a response from this Defendant. However, this Defendant denies that Plaintiff Maglione is entitled to the relief requested in paragraph 439 of the Plaintiffs' Complaint and demands strict proof thereof.

PLAINTIFF TINA RIDLEY'S CLAIMS

FACTUAL ALLEGATIONS

440. This Defendant is without sufficient information to either admit or deny the allegations contained in paragraph 440 of the Plaintiffs' Complaint therefore this paragraph is denied.

441. This Defendant is without sufficient information to either admit or deny the allegations contained in paragraph 441 of the Plaintiffs' Complaint therefore this paragraph is denied.

442. This Defendant denies the allegations as stated within paragraph 442 of the Plaintiffs' Complaint. Plaintiff began working for TPFE in 2016.

443. This Defendant is without sufficient information to either admit or deny the allegations contained in paragraph 443 of the Plaintiffs' Complaint therefore this paragraph is denied.

444. This Defendant admits the allegations contained within paragraph 444 of the Plaintiffs' Complaint.

445. This Defendant admits the allegations contained within paragraph 445 of the Plaintiffs' Complaint.

446. This Defendant admits the allegations contained within paragraph 446 of the Plaintiffs' Complaint.

447. This Defendant denies the allegations contained within paragraph 447 of the Plaintiffs' Complaint and demands strict proof thereof.

448. This Defendant admits the allegations contained within paragraph 448 of the Plaintiffs' Complaint.

449. This Defendant admits the allegations contained within paragraph 449 of the Plaintiffs' Complaint.

450. This Defendant admits that Plaintiff Ridley was terminated due to reduction in workforce. However, this Defendant denies that Plaintiffs Ridley and James Harbin were the only other employees terminated.

451. This Defendant denies the allegations contained within paragraph 451 of the Plaintiffs' Complaint and demands strict proof thereof.

452. This Defendant admits the allegations contained within paragraph 452 of the Plaintiffs' Complaint.

453. This Defendant denies the allegations contained within paragraph 453 of the Plaintiffs' Complaint and demands strict proof thereof.

454. This Defendant denies the allegations contained within paragraph 454 of the Plaintiffs' Complaint and demands strict proof thereof.

455. This Defendant admits the allegations contained within paragraph 455 of the Plaintiffs' Complaint.

456. This Defendant denies the allegations contained within paragraph 456 of the Plaintiffs' Complaint and demands strict proof thereof.

457. This Defendant denies the allegations contained within paragraph 457 of the Plaintiffs' Complaint and demands strict proof thereof.

458. This Defendant denies the allegations contained within paragraph 458 of the Plaintiffs' Complaint and demands strict proof thereof.

459. This Defendant denies the allegations contained within paragraph 459 of the Plaintiffs' Complaint and demands strict proof thereof.

460. Paragraph 460 of the Plaintiffs' Complaint does not require a response from this Defendant. To the extent a response is required, paragraph 460 is deemed denied and strict proof of the same is demanded at trial.

461. This Defendant denies the allegations contained within paragraph 461 of the Plaintiffs' Complaint and demands strict proof thereof.

462. Paragraph 462 of the Plaintiffs' Complaint does not require a response from this Defendant. To the extent a response is required, paragraph 462 is deemed denied and strict proof of the same is demanded at trial.

463. Paragraph 463 of the Plaintiffs' Complaint does not require a response from this Defendant. To the extent a response is required, paragraph 463 is deemed denied and strict proof of the same is demanded at trial.

RIDLEY COUNT XX – ADA DISABILITY DISCRIMINATION (TPFE)

464. Paragraph 464 of the Plaintiffs' Complaint does not require a response from this Defendant. To the extent a response is required, paragraph 464 is deemed denied and strict proof of the same is demanded at trial.

465. Paragraph 465 of the Plaintiffs' Complaint does not require a response from this Defendant. To the extent a response is required, paragraph 465 is deemed denied and strict proof of the same is demanded at trial.

466. This Defendant is without sufficient information to either admit or deny the allegations contained in paragraph 466 of the Plaintiffs' Complaint therefore this paragraph is denied.

467. This Defendant is without sufficient information to either admit or deny the allegations contained in paragraph 467 of the Plaintiffs' Complaint therefore this paragraph is denied.

468. This Defendant denies the allegations contained within paragraph 468 of the Plaintiffs' Complaint and demands strict proof thereof.

469. This Defendant admits the allegations contained within paragraph 469 of the Plaintiffs' Complaint.

470. This Defendant admits the allegations contained within paragraph 470 of the Plaintiffs' Complaint.

471. This Defendant admits the allegations contained within paragraph 471 of the Plaintiffs' Complaint.

472. This Defendant admits the allegations contained within paragraph 472 of the Plaintiffs' Complaint.

473. This Defendant admits the allegations contained within paragraph 473.

474. This Defendant admits the allegations contained within paragraph 474 of the Plaintiffs' Complaint.

475. This Defendant admits the allegations contained within paragraph 475 of the Plaintiffs' Complaint.

476. This Defendant denies the allegations contained within paragraph 476 of the Plaintiffs' Complaint and demands strict proof thereof.

477. This Defendant denies the allegations contained within paragraph 477 of the Plaintiffs' Complaint and demands strict proof thereof.

478. This Defendant denies the allegations contained within paragraph 478 of the Plaintiffs' Complaint and demands strict proof thereof.

479. This Defendant denies the allegations contained within paragraph 479 of the Plaintiffs' Complaint and demands strict proof thereof.

480. This Defendant denies that Plaintiff Ridley is entitled to the relief requested in paragraph 480 of the Plaintiffs' Complaint and demands strict proof thereof.

RIDLEY COUNT XXI – ADA DISABILITY DISCRIMINATION (LAV SERVICES)

481. Paragraph 481 of the Plaintiffs' Complaint does not require a response from this Defendant. To the extent a response is required, paragraph 481 is deemed denied and strict proof of the same is demanded at trial.

482. Paragraph 482 of the Plaintiffs' Complaint does not require a response from this Defendant. To the extent a response is required, paragraph 482 is deemed denied and strict proof of the same is demanded at trial.

483. Paragraph 483 of the Plaintiffs' Complaint does not require a response from this Defendant. To the extent a response is required, paragraph 483 is deemed denied and strict proof of the same is demanded at trial.

484. Paragraph 484 of the Plaintiffs' Complaint does not require a response from this Defendant. To the extent a response is required, paragraph 484 is deemed denied and strict proof of the same is demanded at trial.

485. Paragraph 485 of the Plaintiffs' Complaint does not require a response from this Defendant. To the extent a response is required, paragraph 485 is deemed denied and strict proof of the same is demanded at trial.

486. Paragraph 486 of the Plaintiffs' Complaint does not require a response from this Defendant. To the extent a response is required, paragraph 486 is deemed denied and strict proof of the same is demanded at trial.

487. Paragraph 487 of the Plaintiffs' Complaint does not require a response from this Defendant. To the extent a response is required, paragraph 487 is deemed denied and strict proof of the same is demanded at trial.

488. Paragraph 488 of the Plaintiffs' Complaint does not require a response from this Defendant. To the extent a response is required, paragraph 488 is deemed denied and strict proof of the same is demanded at trial.

489. Paragraph 489 of the Plaintiffs' Complaint does not require a response from this Defendant. To the extent a response is required, paragraph 489 is deemed denied and strict proof of the same is demanded at trial.

490. Paragraph 490 of the Plaintiffs' Complaint does not require a response from this Defendant. To the extent a response is required, paragraph 490 is deemed denied and strict proof of the same is demanded at trial.

491. Paragraph 491 of the Plaintiffs' Complaint does not require a response from this Defendant. To the extent a response is required, paragraph 491 is deemed denied and strict proof of the same is demanded at trial.

492. Paragraph 492 of the Plaintiffs' Complaint does not require a response from this Defendant. To the extent a response is required, paragraph 492 is deemed denied and strict proof of the same is demanded at trial.

493. Paragraph 493 of the Plaintiffs' Complaint does not require a response from this Defendant. To the extent a response is required, paragraph 493 is deemed denied and strict proof of the same is demanded at trial.

494. Paragraph 494 of the Plaintiffs' Complaint does not require a response from this Defendant. To the extent a response is required, paragraph 494 is deemed denied and strict proof of the same is demanded at trial.

495. Paragraph 495 of the Plaintiffs' Complaint does not require a response from this Defendant. To the extent a response is required, paragraph 495 is deemed denied and strict proof of the same is demanded at trial.

496. Paragraph 496 of the Plaintiffs' Complaint does not require a response from this Defendant. To the extent a response is required, paragraph 496 is deemed denied and strict proof of the same is demanded at trial.

497. Paragraph 497 of the Plaintiffs' Complaint does not require a response from this Defendant. To the extent a response is required, paragraph 497 is deemed denied and strict proof of the same is demanded at trial.

498. Paragraph 498 of the Plaintiffs' Complaint does not require a response from this Defendant. To the extent a response is required, paragraph 498 is deemed denied and strict proof of the same is demanded at trial.

499. Paragraph 499 of the Plaintiffs' Complaint does not require a response from this Defendant. To the extent a response is required, paragraph 499 is deemed denied and strict proof of the same is demanded at trial.

500. Paragraph 500 of the Plaintiffs' Complaint does not require a response from this Defendant. To the extent a response is required, paragraph 500 is deemed denied and strict proof of the same is demanded at trial.

501. Paragraph 501 of the Plaintiffs' Complaint does not require a response from this Defendant. However, this Defendant denies that Plaintiff Ridley is entitled to the relief requested in paragraph 501 of the Plaintiffs' Complaint and demands strict proof thereof.

RIDLEY COUNT XXII – ADA RETALIATION (TPFE)

502. Paragraph 502 of the Plaintiffs' Complaint does not require a response from this Defendant. To the extent a response is required, paragraph 502 is deemed denied and strict proof of the same is demanded at trial.

503. Paragraph 503 of the Plaintiffs' Complaint does not require a response from this Defendant. To the extent a response is required, paragraph 503 is deemed denied and strict proof of the same is demanded at trial.

504. This Defendant is without sufficient information to either admit or deny the allegations contained in paragraph 504 of the Plaintiffs' Complaint therefore this paragraph is denied.

505. This Defendant is without sufficient information to either admit or deny the allegations contained in paragraph 505 of the Plaintiffs' Complaint therefore this paragraph is denied.

506. This Defendant denies the allegations contained within paragraph 506 of the Plaintiffs' Complaint and demands strict proof thereof.

507. This Defendant admits the allegations contained within paragraph 507 of the Plaintiffs' Complaint.

508. This Defendant admits the allegations contained within paragraph 508 of the Plaintiffs' Complaint.

509. This Defendant admits the allegations contained within paragraph 509 of the Plaintiffs' Complaint.

510. This Defendant admits the allegations contained within paragraph 510 of the Plaintiffs' Complaint.

511. This Defendant admits the allegations contained within paragraph 511 of the Plaintiffs' Complaint.

512. This Defendant admits the allegations contained within paragraph 512 of the Plaintiffs' Complaint.

513. This Defendant admits the allegations contained within paragraph 513 of the Plaintiffs' Complaint.

514. This Defendant denies the allegations contained within paragraph 514 of the Plaintiffs' Complaint and demands strict proof thereof.

515. This Defendant denies the allegations contained within paragraph 515 of the Plaintiffs' Complaint and demands strict proof thereof.

516. This Defendant denies the allegations contained within paragraph 516 of the Plaintiffs' Complaint and demands strict proof thereof.

517. This Defendant denies the allegations contained within paragraph 517 of the Plaintiffs' Complaint and demands strict proof thereof.

518. Paragraph 518 of the Plaintiffs' Complaint does not require a response from this Defendant. To the extent a response is required, paragraph 518 is deemed denied and strict proof of the same is demanded at trial.

519. Paragraph 519 of the Plaintiffs' Complaint does not require a response from this Defendant. To the extent a response is required, paragraph 519 is deemed denied and strict proof of the same is demanded at trial.

520. Paragraph 520 of the Plaintiffs' Complaint does not require a response from this Defendant. To the extent a response is required, paragraph 520 is deemed denied and strict proof of the same is demanded at trial.

521. This Defendant denies the allegations contained within paragraph 521 of the Plaintiffs' Complaint and demands strict proof thereof.

522. This Defendant denies that Plaintiff Ridley is entitled to the relief requested in paragraph 522 of the Plaintiffs' Complaint and demands strict proof thereof.

RIDLEY COUNT XXIII – ADA RETALIATION (LAV SERVICES)

523. Paragraph 523 of the Plaintiffs' Complaint does not require a response from this Defendant. To the extent a response is required, paragraph 523 is deemed denied and strict proof of the same is demanded at trial.

524. Paragraph 524 of the Plaintiffs' Complaint does not require a response from this Defendant. To the extent a response is required, paragraph 524 is deemed denied and strict proof of the same is demanded at trial.

525. Paragraph 525 of the Plaintiffs' Complaint does not require a response from this Defendant. To the extent a response is required, paragraph 525 is deemed denied and strict proof of the same is demanded at trial.

526. Paragraph 526 of the Plaintiffs' Complaint does not require a response from this Defendant. To the extent a response is required, paragraph 526 is deemed denied and strict proof of the same is demanded at trial.

527. Paragraph 527 of the Plaintiffs' Complaint does not require a response from this Defendant. To the extent a response is required, paragraph 527 is deemed denied and strict proof of the same is demanded at trial.

528. Paragraph 528 of the Plaintiffs' Complaint does not require a response from this Defendant. To the extent a response is required, paragraph 528 is deemed denied and strict proof of the same is demanded at trial.

529. Paragraph 529 of the Plaintiffs' Complaint does not require a response from this Defendant. To the extent a response is required, paragraph 529 is deemed denied and strict proof of the same is demanded at trial.

530. Paragraph 530 of the Plaintiffs' Complaint does not require a response from this Defendant. To the extent a response is required, paragraph 530 is deemed denied and strict proof of the same is demanded at trial.

531. Paragraph 531 of the Plaintiffs' Complaint does not require a response from this Defendant. To the extent a response is required, paragraph 531 is deemed denied and strict proof of the same is demanded at trial.

532. Paragraph 532 of the Plaintiffs' Complaint does not require a response from this Defendant. To the extent a response is required, paragraph 532 is deemed denied and strict proof of the same is demanded at trial.

533. Paragraph 533 of the Plaintiffs' Complaint does not require a response from this Defendant. To the extent a response is required, paragraph 533 is deemed denied and strict proof of the same is demanded at trial.

534. Paragraph 534 of the Plaintiffs' Complaint does not require a response from this Defendant. To the extent a response is required, paragraph 534 is deemed denied and strict proof of the same is demanded at trial.

535. Paragraph 535 of the Plaintiffs' Complaint does not require a response from this Defendant. To the extent a response is required, paragraph 535 is deemed denied and strict proof of the same is demanded at trial.

536. Paragraph 536 of the Plaintiffs' Complaint does not require a response from this Defendant. To the extent a response is required, paragraph 536 is deemed denied and strict proof of the same is demanded at trial.

537. Paragraph 537 of the Plaintiffs' Complaint does not require a response from this Defendant. To the extent a response is required, paragraph 537 is deemed denied and strict proof of the same is demanded at trial.

538. Paragraph 538 of the Plaintiffs' Complaint does not require a response from this Defendant. To the extent a response is required, paragraph 538 is deemed denied and strict proof of the same is demanded at trial.

539. Paragraph 539 of the Plaintiffs' Complaint does not require a response from this Defendant. To the extent a response is required, paragraph 539 is deemed denied and strict proof of the same is demanded at trial.

540. Paragraph 540 of the Plaintiffs' Complaint does not require a response from this Defendant. To the extent a response is required, paragraph 540 is deemed denied and strict proof of the same is demanded at trial.

541. Paragraph 541 of the Plaintiffs' Complaint does not require a response from this Defendant. To the extent a response is required, paragraph 541 is deemed denied and strict proof of the same is demanded at trial.

542. Paragraph 542 of the Plaintiffs' Complaint does not require a response from this Defendant. To the extent a response is required, paragraph 542 is deemed denied and strict proof of the same is demanded at trial.

543. Paragraph 543 of the Plaintiffs' Complaint does not require a response from this Defendant. However, this Defendant denies that Plaintiff Ridley is entitled to the relief requested in paragraph 543 of the Plaintiffs' Complaint and demands strict proof thereof.

RIDLEY COUNT XXIV – COBRA & ERISA VIOLATIONS (TPFE)

544. Paragraph 544 of the Plaintiffs' Complaint does not require a response from this Defendant. To the extent a response is required, paragraph 544 is deemed denied and strict proof of the same is demanded at trial.

545. Paragraph 545 of the Plaintiffs' Complaint does not require a response from this Defendant. To the extent a response is required, paragraph 545 is deemed denied and strict proof of the same is demanded at trial.

546. This Defendant denies the allegations contained within paragraph 546 of the Plaintiffs' Complaint and demands strict proof thereof.

547. This Defendant denies the allegations contained within paragraph 547 of the Plaintiffs' Complaint and demands strict proof thereof.

548. This Defendant admits the allegations contained within paragraph 548 of the Plaintiffs' Complaint.

549. This Defendant denies the allegations contained within paragraph 549 of the Plaintiffs' Complaint and demands strict proof thereof.

550. This Defendant denies that Plaintiff Ridley is entitled to the relief requested in paragraph 550 of the Plaintiffs' Complaint and demands strict proof thereof.

RIDLEY COUNT XXV – COBRA & ERISA VIOLATIONS (LAV SERVICES)

551. Paragraph 551 of the Plaintiffs' Complaint does not require a response from this Defendant. To the extent a response is required, paragraph 551 is deemed denied and strict proof of the same is demanded at trial.

552. Paragraph 552 of the Plaintiffs' Complaint does not require a response from this Defendant. To the extent a response is required, paragraph 552 is deemed denied and strict proof of the same is demanded at trial.

553. Paragraph 553 of the Plaintiffs' Complaint does not require a response from this Defendant. To the extent a response is required, paragraph 553 is deemed denied and strict proof of the same is demanded at trial.

554. Paragraph 554 of the Plaintiffs' Complaint does not require a response from this Defendant. To the extent a response is required, paragraph 554 is deemed denied and strict proof of the same is demanded at trial.

555. Paragraph 555 of the Plaintiffs' Complaint does not require a response from this Defendant. To the extent a response is required, paragraph 555 is deemed denied and strict proof of the same is demanded at trial.

556. Paragraph 556 of the Plaintiffs' Complaint does not require a response from this Defendant. To the extent a response is required, paragraph 556 is deemed denied and strict proof of the same is demanded at trial.

557. Paragraph 557 of the Plaintiffs' Complaint does not require a response from this Defendant. To the extent a response is required, paragraph 557 is deemed denied and strict proof of the same is demanded at trial.

558. Paragraph 558 of the Plaintiffs' Complaint does not require a response from this Defendant. To the extent a response is required, paragraph 558 is deemed denied and strict proof of the same is demanded at trial.

559. Paragraph 559 of the Plaintiffs' Complaint does not require a response from this Defendant. To the extent a response is required, paragraph 559 is deemed denied and strict proof of the same is demanded at trial.

560. Paragraph 560 of the Plaintiffs' Complaint does not require a response from this Defendant. To the extent a response is required, paragraph 560 is deemed denied and strict proof of the same is demanded at trial.

561. Paragraph 561 of the Plaintiffs' Complaint does not require a response from this Defendant. To the extent a response is required, paragraph 561 is deemed denied and strict proof of the same is demanded at trial.

562. Paragraph 562 of the Plaintiffs' Complaint does not require a response from this Defendant. To the extent a response is required, paragraph 562 is deemed denied and strict proof of the same is demanded at trial.

563. Paragraph 563 of the Plaintiffs' Complaint does not require a response from this Defendant. However, this Defendant denies that Plaintiff Ridley is entitled to the relief requested in paragraph 563 of the Plaintiffs' Complaint and demands strict proof thereof.

AFFIRMATIVE DEFENSES

FIRST DEFENSE

Plaintiffs' Complaint should be dismissed, in whole or in part, to the extent it fails to state a claim upon which relief can be granted.

SECOND DEFENSE

Plaintiffs' discrimination claims are barred, in whole or in part, to the extent that they exceed the scope of, or are inconsistent with, the specific charges of discrimination Plaintiffs filed with the Equal Employment Opportunity Commission (EEOC).

THIRD DEFENSE

Plaintiffs have failed to properly exhaust the requisite administrative remedies.

FOURTH DEFENSE

Defendant pleads the applicable statute of limitations as a bar to some or all of the Plaintiffs' claims.

FIFTH DEFENSE

Plaintiffs' claims are barred, in whole or in part, by the doctrines of waiver, laches and/or estoppel.

SIXTH DEFENSE

Upon information and belief, Plaintiffs have had and continue to have the ability to mitigate damages, and to the extent that mitigation has not occurred, Defendant pleads failure to mitigate as a full or partial bar to Plaintiffs' recovery.

SEVENTH DEFENSE

Defendant pleads the provisions of 42 U.S.C. §1981a(b)(3) with regard to the Plaintiffs' claims for compensatory and/or punitive damages.

EIGHTH DEFENSE

To the extent not otherwise denied herein, Defendant hereby denies each and every material allegation set forth in the Complaint and demands strict proof thereof.

NINTH DEFENSE

Plaintiffs' complaint is due to be dismissed as Plaintiffs have failed to satisfy the pleading standard set forth in Ashcroft v. Iqbal, 566 U.S. 662 (2009) and Bell Atlantic Corp. v. Twombly, 550 U.S. 544 (2007).

TENTH DEFENSE

Defendant avers that any award of punitive damages to the Plaintiffs in this case would be in violation of the constitutional safeguards provided to it under the Constitution of the United States of America.

ELEVENTH DEFENSE

Any verdict based on Plaintiffs' claim for punitive damages would violate Defendant's guarantee of due process and equal protection under the laws as established by the United States Constitution as the standards for assessing the propriety of an amount of such damages violates constitutional prohibitions against vague and over broad laws.

TWELFTH DEFENSE

Defendant avers that any award of punitive damages to the Plaintiffs in this case would be in violation of the constitutional safeguards provided to it under the due process clause of the Fourteenth Amendment to the Constitution of the United States of America in that a punitive damages award would be vague and not rationally related to legitimate government interests.

THIRTEENTH DEFENSE

The imposition of punitive damages without sufficient guidelines as to the proper circumstances for such an award or the amount of such an award would violate the due process guarantees of the United States Constitution.

FOURTEENTH DEFENSE

Defendant avers that any award of punitive damages to the Plaintiffs in this case would be in violation of the procedural safeguards provided to Defendant under the Fourteenth Amendment to the Constitution of the United States and the Fourth, Fifth and Sixth Amendments as

incorporated into the Fourteenth Amendment constitutional provisions providing due process and the right to confront witnesses, to a speedy trial, to effective assistance of counsel, and to protection against unreasonable searches and seizures, and the protection against double jeopardy and compelled self-incrimination.

FIFTEENTH DEFENSE

Defendant avers that any award of punitive damages to the Plaintiffs in this case would be in violation of the self-incrimination clause of the Fifth Amendment to the Constitution of the United States of America to impose punitive damages against it, which are penal in nature, yet compel it to disclose potentially incriminating documents and evidence.

SIXTEENTH DEFENSE

Defendant avers that any award of punitive damages to the Plaintiffs in this case would be in violation of the rights guaranteed by the Constitution of the United States of America to impose punitive damages against Defendant which are penal in nature by requiring a burden of proof on the Plaintiffs which is less than the "beyond a reasonable doubt" burden of proof required in criminal cases.

SEVENTEENTH DEFENSE

Defendant avers that any award of punitive damages to the Plaintiffs in this case would be in violation of the Eighth Amendment to the Constitution of the United States of America in that the damages would be an excessive fine in violation of the Excessive Fines Clause of the Eighth Amendment to the Constitution of the United States.

EIGHTEENTH DEFENSE

Defendant avers that any award of punitive damages to the Plaintiffs in this case would violate the Fourth, Fifth, Sixth, Eighth and Fourteenth Amendments of the Constitution of the United States on the following separate and several grounds:

- a. It is a violation of the due process and equal protection clauses of the Fourteenth Amendment of the United States Constitution to impose punitive damages, which are penal in nature, against a civil defendant upon the Plaintiff's satisfying a burden of proof which is less than the "beyond a reasonable doubt" burden of proof required in criminal cases;
- b. The procedures pursuant to which punitive damages are awarded fail to provide a reasonable limit on the amount of an award against defendant, which thereby violates the due process clause of the Fourteenth Amendment of the United States Constitution;
- c. The procedures pursuant to which punitive damages are awarded fail to provide specific standards for the amount of the award of punitive damages which thereby violates the due process clause of the Fourteenth Amendment of the United States Constitution;
- d. The procedures pursuant to which punitive damages are awarded result in the imposition of different penalties for the same or similar acts and, thus, violate the equal protection clause of the Fourteenth Amendment of the United States Constitution;
- e. The procedures pursuant to which punitive damages are awarded permit the imposition of punitive damages in excess of the maximum criminal fine for the same or similar conduct, which thereby infringes the due process clause of the Fifth and Fourteenth Amendments and the equal protection clause of the Fourteenth Amendment of the United States Constitution;
- f. The procedures pursuant to which punitive damages are awarded permit the imposition of excessive fines in violation of the Eighth Amendment of the United States Constitution.
- g. The procedures pursuant to which punitive damages are awarded may result in the award of joint and several judgments against multiple defendants for different alleged acts of wrongdoing;
- h. The procedures pursuant to which punitive damages are awarded fail to provide a reasonable limit on the amount of the award.

NINETEENTH DEFENSE

To the extent that it may be found that Plaintiffs were subjected to any of the conduct alleged in the Complaint, which Defendant denies, and to the extent that Defendant might be deemed a joint employer (which Defendant denies), Defendant is not liable for such conduct because reasonable care was employed to prevent and promptly correct such conduct.

TWENTIETH DEFENSE

Defendant avers that the Plaintiffs were not subject to any discrimination. Rather, the COVID-19 pandemic caused Defendant to close the doors to its physical location and eliminate unnecessary positions.

TWENTY-FIRST DEFENSE

Defendant pleads insufficient process.

TWENTY-SECOND DEFENSE

Defendant avers insufficient service of process.

TWENTY-THIRD DEFENSE

Plaintiffs request for accommodation under the Americans with Disabilities Act constitute an undue burden and/or undue hardship.

TWENTY-FOURTH DEFENSE

Defendant pleads good faith to comply with the Americans with Disabilities Act, Family and Medical Leave Act and the Consolidated Omnibus Budget Reconciliation Act of 1986.

TWENTY-FIFTH DEFENSE

Defendant is not an employer under the Americans with Disabilities Act.

TWENTY-SIXTH DEFENSE

Defendant is not an employer under the Family and Medical Leave Act.

TWENTY-SEVENTH DEFENSE

Defendant avers that its business was affected by the COVID-19 pandemic whereby eliminating the need for some positions.

TWENTY-EIGHTH DEFENSE

Defendant avers general layoff.

TWENTY-NINTH DEFENSE

Plaintiff were not entitled to the benefits claimed under the Family and Medical Leave Act.

THIRTIETH DEFENSE

Plaintiffs did not suffer a material adverse employment action.

THIRTY-FIRST DEFENSE

The decisions Plaintiffs challenge were based on reasonable business factors other than their alleged disabilities.

THIRTY-SECOND DEFENSE

Defendant avers business necessity.

RESERVATION OF DEFENSES

Defendant expressly preserves and does not knowingly or intentionally waive any of the affirmative defenses set forth in Federal Rules of Civil Procedure or available by statute, which discovery may reveal to be applicable, or any other matter constituting an avoidance or affirmative defense.

WHEREFORE, Defendant prays for judgment as follows:

1. That Plaintiffs take nothing by virtue of this action and that the same be dismissed with prejudice;
2. That Defendant recover its costs incurred in this matter; and

3. That Defendant receives all other relief that this Court deems to be just and appropriate.

Respectfully submitted,

/s/ J. Evans Bailey

J. EVANS BAILEY (ASB-9995-J61B)
ROYAL C. DUMAS (ASB-1404-R60D)
KATIE D. ARCHER (ASB-1664-E61E)
Attorneys for Defendant

OF COUNSEL:

Rushton, Stakely, Johnston & Garrett, P.A.
184 Commerce Street
Post Office Box 270
Montgomery, AL 36101-0270
(334) 206-3100 Office
ebailey@rushtonstakely.com
rcd@rushtonstakely.com
kd@rushtonstakely.com

CERTIFICATE OF SERVICE

I hereby certify that on the 7th day of April, 2022, I electronically filed the foregoing with the Clerk of the Court using the CM/ECF System, which will send notification of such filing to the following:

William B. Beckum
Brooke R. Davis
BECKUM LAW, LLC
3184 Cahaba Heights Road
Birmingham, AL 35243
wbeckum@beckumlaw.com
bdavis@beckumlaw.com

/s/ J. Evans Bailey

OF COUNSEL